

**CIVIL RIGHTS COMPLIANCE REVIEW REPORT
FOR
COUNTY OF
SACRAMENTO HEALTH AND HUMAN SERVICES
Conducted
By
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CIVIL RIGHTS COMPLIANCE REVIEW REPORT

I. INTRODUCTION

The purpose of this review by the California Department of Social Services (CDSS) Civil Rights Bureau (CRB) staff was to assess the Sacramento Department of Health and Human Services with regard to its compliance with CDSS Manual of Policies and Procedures (MPP) Division 21 Regulations, and other applicable state and federal civil rights laws.

An on-site compliance review was conducted on April 22-24, 2008. An exit interview was held with Vicky Deane, program managers, and facility managers on April 24, 2008 to review the findings.

The review was conducted in the following locations:

Name of Facility	Address	Programs	Non-English languages spoken by a substantial number of clients (5% or more)
CPS (FM-South)	7171 Bowling Drive	Family Maintenance	N/A
CPS (FR)	3331 Power Inn Road	Family Reunification	N/A
SAS (IHSS)	6045 Watt Ave	IHSS	Russian

II. SUMMARY OF METHODOLOGY

In preparing for this review, CDSS staff completed the following tasks:

- Reviewed the 2007 Annual Civil Rights Plan submitted by the County.
- Reviewed the civil rights discrimination complaint database for a complete listing of complaints filed against the County for the last year.

Headquarters and on-site review procedures included:

- Interviews of public contact staff
- Survey of program managers
- Case file reviews
- Facility inspections

Each site/program was reviewed for compliance in the following areas:

- Dissemination of Information
- Facility Accessibility for Individuals with Disabilities
- Bilingual Staffing/Services for Non-English-Speaking Clients
- Accessibility for Clients with Visual or Hearing Impairments
- Documentation of Client Case Records

- Staff Development and Training
- Discrimination Complaint Procedures

Here is a summary of the sources of information used for the review:

Interviews Conducted of Public Contact Staff

Classifications	Total	Bilingual
Children Social Workers	6	4
Adult Program Workers	4	2
Receptionist/Screeners	2	1
Total	12	7

An additional 2 interviews were scheduled but were not conducted due to staff unavailability.

Program Manager Surveys

Number of surveys distributed	3
Number of surveys received	3

Reviewed Case Files

English speakers' case files reviewed	5
Non-English or limited-English speakers' case files reviewed	35
Languages of clients' cases	English, Spanish, Lao, Russian, ASL, Chinese

Sections III through VIII of this report contain specific Division 21 civil rights requirements and present field review findings regarding the county's compliance with each requirement. The report format first summarizes each requirement, then the actual review team findings, including appropriate comparisons. This format is an effort to validate the application of policies and procedures contained in the annual plan. Required corrective actions are stated at the end of each section.

Section IX of this report will describe concerns brought to the attention of the reviewers prior to the compliance review of Sacramento County.

Section X of the report is reserved for a declaration of overall compliance.

III. DISSEMINATION OF INFORMATION

Counties are required to disseminate information about program or program changes and about how applicants and recipients are protected by the CDSS regulations (Division 21). This dissemination should occur through outreach and information to all applicants, recipients, community organizations, and other interested persons, including non- and limited-English speakers and those with impaired hearing or vision or other disabling conditions.

A. Findings

Access to Services, Information and Outreach	Yes	No	Some-times	Comments
Does the county accommodate working clients by flexing their hours or allowing applications to be mailed in?	X			All staff interviewed said they do their best to accommodate the client's schedule. Some workers come in early while other workers stay after their normal business hours.
Does the county have extended hours to accommodate clients?	X			Although the business hours of the facilities visited are from 8:00 AM to 5:00 PM, workers work extended hours and sometimes weekends to accommodate clients.
Can applicants access services when they cannot go to the office?	X			The facilities visited allowed for a telephone application process (IHSS) as well as a voicemail system that accepts collect calls.
Does the county ensure the awareness of available services for individuals in remote areas?	X			All of the programs have information available through the Sacramento County website. The county also works with their contracted services to recommend other county services to the clients. They also work with other community services to ensure program awareness.

Signage, posters, pamphlets	Yes	No	Some-times	Comments
Does the county use the CDSS pamphlet "Your Rights Under California Welfare Programs" (Pub 13)? Is the pamphlet distributed and explained to each client at intake and re-certification?	X			Sacramento County gives and explains to the client the PUB 13 at first contact. The PUB 13 is also given and explained to the client recertification.
Was the current version of Pub 13 available in English, Spanish, Lao, Vietnamese, Chinese, Hmong, Russian, Korean, Farsi, Arabic, Laotian, Tagalog, Armenian and Cambodian?		X		Although all three facilities displayed the PUB 13, all of the facilities had outdated versions.
Was the Pub 13 available in large print, audiocassette and Braille?	X			All three facilities were able to provide the required material upon request.
Were the current versions of the required posters present in the lobbies?	X			All facilities had all required posters in the lobby displaying correct, updated information.
Did the workers know the location of the required posters with the Civil Rights Coordinator's name and address?		X		At all three facilities visited, it took asking more than one person to obtain the requested information.
Were there instructional and directional signs posted in waiting areas and other places frequented by a substantial number of non-English-speaking clients translated into appropriate languages?		X		Not all signs required to be translated into that office's threshold language(s) were displayed. The IHSS office visited did not have any directional/informational signage in Russian, a threshold language.

B. Corrective Actions

Informational Element	Corrective Action Required
Distribution of CDSS' Pub 13	Sacramento County shall ensure that the Pub 13 pamphlet, "Your Rights Under California Welfare Programs" is both given and explained to program participants in all of the programs for which CDSS has oversight responsibility. Div. 21-107.221
Translated Pub 13	Sacramento County shall ensure that the current version of the Pub 13 is available in all languages translated by CDSS and that the available translated versions are given to the clients in their primary language. Div. 21-115.2
Posters	Sacramento County shall ensure that the most current version of posters on nondiscrimination provided by CDSS and USDA are prominently displayed in all waiting areas and reception rooms. Div. 21-107.211
Directional signage	Sacramento County shall ensure that instructional and directional signs are posted in waiting areas and other places that are frequented by clients and that where such areas are frequented by a substantial number of non-English-speaking clients, such signage shall be translated into appropriate languages. Div. 21-107.212 and .24

Furthermore, each county welfare department shall take appropriate steps to inform all applicants, recipients, community organizations, and other interested persons, including those whose primary language is other than English, and those with impaired hearing or vision or other disabling conditions, of the provisions of this division and its applicability to the programs and activities for which the county welfare department receives federal or state financial assistance. Such notification shall also identify the name, office telephone number, and office address of the employee(s) responsible for the county welfare department's compliance with this division.

Div. 21-107.1

C. Recommendation

The most recent version for each of the above referenced documents is:

Pub 13	"Your Rights under California Welfare Programs"	03/07
Pub 86	"Everyone is Different, but Equal Under the Law"	03/07
Form AD 475B	"And Justice for All"	12/99

Contact your program consultant to receive the most recent versions, or download the Pub 13 from the CRB website <http://www.cdss.ca.gov/civilrights/>.

IV. FACILITY ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES

The Americans with Disabilities Act (ADA) requires public accommodations to provide goods and services to people with disabilities on an equal basis with the rest of the general public. The goal is to afford every individual the opportunity to benefit from the services available. The federal regulations require that architectural and communication barriers that are structural must be removed in public areas of existing facilities when their removal is readily achievable; in other words, easily accomplished and able to be carried out without much difficulty or expense.

The facility review is based on four priorities supported by the ADA regulations for planning achievable barrier removal projects. The priorities include ensuring accessible approach and entrance to the facility, access to goods and services, access to restrooms, and any other measures necessary.

Note that the references to the Americans with Disabilities Act Accessibility Guidelines (ADAAG) in the Corrective Action column refer to the federal Standards for Design. Title 24 of California Code and Regulations (T24 CCR) is also cited because there are instances when California state law is stricter than ADAAG specifications.

The county must ensure that programs and activities are readily accessible to individuals with disabilities. This includes building accessibility and availability of accessible parking as well as accessibility of public telephones and restrooms.

A. Findings and Corrective Actions

Regulations cited are from the Title 24, California Code of Regulations (T24 CCR) and ADAAG.

Facility Location: 7171 Bowling Drive

Facility Element	Findings	Corrective Action
Parking	<p>Accessible spaces are too short at 17'</p> <p>Van accessible parking spaces are too short at 17'</p>	<p>Length of parking space shall be at least 18' long, 9' wide. (CA T24 1129B.4.1) p. 135</p> <p>Length of parking space shall be at least 18' long, 9' wide. (CA T24 1129B.4.1) p. 135</p>
Restroom	<p>Men's Restroom: (1 accessible stall)</p> <p>No accessible signage on restroom door</p> <p>No signage on wall adjacent to latch side of door</p> <p>Soap dispenser too high at 42".</p> <p>Paper towel dispenser too high at 55".</p> <p>Toilet protector too high at 51".</p>	<p>Door sign and wall sign shall be 60" above the floor.</p> <p>For permanent identification, the sign shall be installed on the wall adjacent to latch outside of door. If there is no space, including at double leaf doors, the sign shall be placed on nearest adjacent wall, preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6) p. 263</p> <p>Raised characters shall be raised 1/32" minimum and shall be Sans Serif upper case characters accompanied by Grade 2 Braille. (CA T24 1117B.5.5.1, ADA 4.30.4) p. 263</p> <p>Door sign and wall sign shall be 60" above the floor.</p> <p>If towel, sanitary napkins, waste receptacles, and other similar dispensing and disposal fixtures are provided, at least one of each type is located with all operable parts, including coin slots, at a maximum height of 40".</p>

		(CA-ACRM 1115B.9.2 and CA-ACRM 1115B.9.1.2, ADA 4.19.6) p. 269
	<p>Toilet tissue dispenser too far away from toilet at 18"</p> <p>Woman's Restroom: (1 accessible stall)</p> <p>No accessible signage on restroom door</p> <p>No signage on wall adjacent to latch side of door</p>	<p>Toilet tissues dispensers are located on the wall within 12" of front edge of toilet seat. (CA-ACRM 1115B.9.3) pp. 275, 269</p> <p>For permanent identification, the sign shall be installed on the wall adjacent to latch outside of door. If there is no space, including at double leaf doors, the sign shall be placed on nearest adjacent wall, preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6) p. 263</p> <p>Raised characters shall be raised 1/32" minimum and shall be Sans Serif upper case characters accompanied by Grade 2 Braille. (CA T24 1117B.5.5.1, ADA 4.30.4) p. 263</p> <p>Door sign and wall sign shall be 60" above the floor.</p>
	<p>Soap dispenser too high at 42".</p> <p>Toilet protector too high at 54".</p>	<p>If towel, sanitary napkins, waste receptacles, and other similar dispensing and disposal fixtures are provided, at least one of each type is located with all operable parts, including coin slots, at a maximum height of 40". (CA-ACRM 1115B.9.2 and CA-ACRM 1115B.9.1.2, ADA 4.19.6) p. 269</p>

B. Recommendation

None

Facility Location: 3331 Power Inn Road

Facility Element	Findings	Corrective Action
Parking	No "Unauthorized Parking" sign at parking lot entrance on Ramona.	Additional sign shall be posted in conspicuous place at entrances to off-street parking facilities, or adjacent to and visible from each space. Sign shall be 17" by 22" min. in size with lettering 1" min. high, stating: "Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or license plates issued for persons with disabilities may be towed away at owner's expense. Towed vehicles may be reclaimed at _____ or by telephoning _____. (CA T24 1129B.5) p. 133
	Accessible parking spaces too short at 16'2".	Length of parking space shall be at least 18' long, 9' wide. (CA T24 1129B.4.1) p 135 Access aisle shall be 18' x 5' minimum for cars. (CA T24 1129B.4.1 & 2, ADA 4.6.3) p. 135
	Van accessible parking space too short at 16'2"	Length of parking space shall be at least 18' long, 9' wide. (CA T24 1129B.4.1) p 135 Van access aisle shall be 18' x 8' minimum on passenger side. (CA T24 1129 B.4.1, ADA 4.6.3) p. 135

	The words NO PARKING are not painted in access aisle.	The words "NO PARKING" shall be painted on the ground in each 5' or 8' loading and unloading access aisle in white letters no smaller than 12". (CA T24 1129B.4.1 & 2) p. 135
Exterior entrance	<p>Force to open door for building's entrance (all doors) exceeds 15 lb. fire door pressure maximum. Door pressure ranged from 16 lbs. To 22 lbs.</p> <p>Door closure less than 3 second minimum</p>	<p>Force to open doors, exterior and interior is 5 pounds maximum (CA T24 1133B.2.5, ADA 4.13.11(2)(a) & (b)) p. 195</p> <p>Force to open fire door, minimum allowable not to exceed 15 pounds maximum (CA T24 1133B.2.5, ADA 4.13.11(1)) p. 195</p> <p>Door Closer (if present) must be set so it takes at least 3 seconds to close from an open position of 70 degrees to a point 3" from the latch. (CA T24 1133B.2.5.1, ADA 4.13.10) p. 199</p>
Restroom	<p>No accessible signage directing clients to restrooms in hallway.</p> <p>Men's Restroom: (1 accessible stall)</p> <p>No accessible signage on restroom door.</p> <p>No signage on wall adjacent to latch side of door.</p>	<p>Provide Signs with international symbol of accessibility indicating location of each accessible entry provide additional directional signs as required. (CA T24 1127B.3, ADA 4.1.3(16B), CA T24 1117B.5.8.1.2)</p> <p>Door sign and wall sign shall be 60" above the floor.</p> <p>For permanent identification, the sign shall be installed on the wall adjacent to latch outside of door.</p>

		<p>If there is no space, including at double leaf doors, the sign shall be placed on nearest adjacent wall, preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6) p. 263</p> <p>Raised characters shall be raised 1/32" minimum and shall be Sans Serif upper case characters accompanied by Grade 2 Braille. (CA T24 1117B.5.5.1, ADA 4.30.4) p. 263</p> <p>Door sign and wall sign shall be 60" above the floor</p>
	<p>Woman's Restroom: (1 accessible stall)</p> <p>No accessible signage on restroom door.</p> <p>No signage on wall adjacent to latch side of door.</p>	<p>Door sign and wall sign shall be 60" above the floor.</p> <p>For permanent identification, the sign shall be installed on the wall adjacent to latch outside of door. If there is no space, including at double leaf doors, the sign shall be placed on nearest adjacent wall, preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6) p. 263</p> <p>Raised characters shall be raised 1/32" minimum and shall be Sans Serif upper case characters accompanied by Grade 2 Braille. (CA T24 1117B.5.5.1, ADA 4.30.4) p. 263</p> <p>Door sign and wall sign shall be 60" above the floor.</p>

B. Recommendation

None

B. Recommendation

None

V. PROVISION FOR SERVICES TO APPLICANTS AND RECIPIENTS WHO ARE NON-ENGLISH-SPEAKING OR WHO HAVE DISABILITIES

Counties are required by Division 21 to ensure that effective bilingual/interpretive services are provided to serve the needs of the non-English-speaking population and individuals with disabilities without undue delays. Counties are required to collect data on primary language and ethnic origin of applicants/recipients (identification of primary language must be done by the applicant/recipient).

Using this information, a county may determine 1) the number of public contact staff necessary to provide bilingual services, 2) the manner in which they can best provide interpreter services without bilingual staff and 3) the language needs of individual applicants/recipients. Counties must employ an appropriate number of certified bilingual public contact employees in each program and/or location that serves a substantial number of non-English-speaking persons. In offices where bilingual staff are not required because non-English-speaking persons do not represent a substantial number, counties must provide effective bilingual services through interpreter or other means.

Counties must also provide auxiliary aids and services, including Braille material, taped text, qualified interpreters, large print materials, telecommunication devices for the deaf (TDD's), and other effective aids and services for persons with impaired hearing, speech, vision or manual skills. In addition, they must ensure that written materials be available in individuals' primary languages when the forms and materials are provided by CDSS, and that information inserted in notices of action (NOA) be in the individuals' primary language.

A. Findings from Program Manager Surveys, Staff Interviews and Case File Reviews

Question	Yes	No	Some-times	Comments
Does the county identify a client's language need upon first contact? How?	X			The offices displayed an <u>I Speak</u> poster in the lobby for use by receptionists if necessary.
Does the county use a primary language form?	X			The Child Welfare Services uses a Special Skills Service Request form: Form CS106. The form was used in about half of the case files reviewed.

Question	Yes	No	Some-times	Comments
				<p>IHSS uses form SAS 293. A similar electronic version of the form will continue to be available with the migration to computer files. The form was used in nearly all of the case files reviewed.</p> <p>These forms allow clients to select their language preference.</p>
Does the client self-declare on this form?	X	X		<p>The CS106 is signed and dated by the client.</p> <p>The SAS 293 is filled out by the worker.</p>
Are non-English- or limited- English-speaking clients provided bilingual services?	X			N/A
After it has been determined that the client is limited-English or non-English speaking, is there a county process for procuring an interpreter?	X			<p>Oftentimes, the client is assigned to a Special Skills Worker to accommodate their needs. If a Special Skills Worker is not available, workers use either the language line or other county certified bilingual speakers.</p>
Is there a delay in providing services?		X		
Does the county have a language line provider, a county interpreter list, or any other interpreter process?	X			The workers interviewed were aware of the language line available to them.
Are county interpreters determined to be competent?	X			Special skills workers are certified by the county.
Does the county have adequate interpreter services?	X			

Question	Yes	No	Some-times	Comments
Does the county allow minors to be interpreters? If so, under what circumstances?		X		The minor was competent. Documentation of this was not evident in the case files reviewed.
Does the county allow the client to provide his or her own interpreter?	X			
Does the county ensure that the client-provided interpreter understands what is being interpreted for the client?	X			
Does the county use the CDSS-translated forms in the clients' primary languages?	X			In the cases reviewed, the copies of the information sent out to the client were sent in the appropriate language.
Is the information that is to be inserted into NOA translated into the client's primary language?				See comments above.
Does the county provide auxiliary aids and services, TDD's and other effective aids and services for persons with impaired hearing, speech, vision or manual skills, including Braille material, taped text, large print materials (besides the Pub 13)?	X			

B. Corrective Actions

N/A

C. Recommendation

One of the biggest concerns found during the review came from interviewing the workers. Almost all of the workers admitted to not informing the client that the offer for interpretive services was free. It is important that the word “free” be emphasized so the client can make an informed decision of whether or not to accept services.

VI. DOCUMENTATION OF APPLICANT/RECIPIENT CASE RECORDS

Counties are required to ensure that case records document applicant's/recipient's ethnic origin and primary language, the method used to provide bilingual services, information that identifies an applicant/recipient as disabled, and an applicant's/recipient's request for auxiliary aids and services.

A. Findings from Case File Reviews and Staff Interviews

Documented Item	Children's Services	Adult Programs
Ethnic origin documentation	Very good use of the CS 106.	SAS 293
Primary language documentation	Determined at ER. Also mentioned in CWS/CMS program but all case files reviewed were hard copies. The CS 106 also determines special skill(s) designated by the client.	SAS 293A used to document language preference and special skill(s) provided.
Method of providing bilingual services and documentation	<p>Interpretive services were primarily provided by Special Skills workers. Workers that did not speak the client's language used the AT&T Language Line or Eastern European Translators.</p> <p>In many instances, Emergency Response had better documentation than did Family Maintenance (FM). The FM documentation was usually found only at the first contact. Subsequent contacts did not provide thorough documentation in</p>	<p>Interpretive services were primarily provided by Special Skills Workers. Workers that did not speak the client's language used the AT&T Language Line or Eastern European Translators.</p> <p>Services were documented by the use of the SAS 293. It displayed the language spoken and how interpretive services were provided. Cases chronos attached to the SAS 293 had acceptable documentation. The rest</p>

Documented Item	Children's Services	Adult Programs
	the case chromos.	of the chronos throughout the files reviewed did not provide proper, thorough documentation.
Client provided own interpreter	The worker is supposed to document this accommodation at every contact. One case file documented the use of a client's own interpreter. This was only noted at the first contact. The file did not state whether or not interpretive services were offered and/or refused.	In none of the case files reviewed did the client use their own interpreter.
Method to inform client of potential problem using own interpreter	Not available in case file. The worker verbally informs the client of any/all potential problems.	Not available in case file. The worker verbally informs the client of any/all potential problems.
Release of information to Interpreter	None found	None found
Individual's acceptance or refusal of written material offered in primary language	None found	None found
Documentation of minor used as interpreter	None found	None found
Documentation of circumstances for using minor interpreter temporarily	None found Some workers mentioned that they allow the use of a minor in emergency situations if they felt the minor was competent. None were found in the case file reviewed	None found
Translated notice of actions (NOA) contain translated	Notices of Action were not available in hard case files.	Not many NOAs were available in the case files. The ones available were

Documented Item	Children's Services	Adult Programs
inserts		sent out in the client's language.
Method of identifying client's disability	Form CS 107 Request for Accommodation of Disability Form	None found
Method of documenting a client's request for auxiliary aids and services	Form CS 107 Request for Accommodation of Disability Form	None found

Corrective Actions

Areas of Action	Corrective Action
Documentation if client provided own interpreter	When applicants/recipients provide their own interpreter, the CWD shall ensure that the applicants/recipients are informed of the potential problems for ineffective communication. The CWD shall document in the case record that the applicants/recipients were so informed. Div. 21-116.23
Documentation of interpreter signed confidentiality statement	Consent for the release of information shall be obtained from applicants/recipients when individuals other than CWD employees are used as interpreters and the case record shall be so documented. Div. 21-116.24
Documentation of primary language	Each agency shall ensure that case record identification shows the applicant's/recipient's ethnic origin and primary language. Div. 21-201.21
Documentation that bilingual services were provided	Document the method used to provide bilingual services, e.g., assigned worker is bilingual, other bilingual employee acted as interpreter, volunteer interpreter was used, or client provided interpreter. Div. 21-116.22

Areas of Action	Corrective Action
General	Sacramento County must ensure that proper documentation is kept in the file that identifies all the required elements to ensure compliance. Div. 21-116

C. Recommendation

Child Welfare Services had excellent use of forms CS 106 and CS 107. Since some clients might prefer to read in one language and speak in another, it is recommended that the client's written language preference be included on form CS 106.

Please ensure that all forms used by the county are filled out completely. In a few cases, the name of the client was listed, but the language/cultural preference was left blank. Further, if certain forms are available by the county and/or the state in the client's preferred language, please ensure the client receives the appropriate form. In the Spanish case files reviewed, some had forms in Spanish, but others had the same form in English.

VII. STAFF DEVELOPMENT AND TRAINING

Counties are required to provide civil rights and cultural awareness training for all public contact employees, including familiarization with the discrimination complaint process and all other requirements of Division 21. The training should be included in orientation, as well as the continuing training programs.

A. Findings

Interview questions	Yes	No	Some-times	Comments
Do employees receive continued Division 21 Training?		X		Every employee interviewed stated that training was not consistently provided.
Do employees understand the county policy regarding a client's rights and procedure to file a discrimination complaint?	X			All but one employee interviewed knew the name of the Civil Rights Coordinator. Almost all of the employees interviewed stated that they would refer any complaints (civil rights, personnel, or program) to their supervisor. Although this is okay, it is important that the worker know who the

				county Civil Rights Coordinator is and how to refer the client/complainant to that person.
Does the county provide employees Cultural Awareness Training?	X			The county has provided training to employees in the past, but every employee interviewed mentioned that they had not been trained since they began employment with Sacramento County.
Do the CSW's have an understanding of MEPA (Multi-Ethnic Placement Act)?			X	Half of the Children's Social Workers interviewed do not know what the Multi-Ethnic Placement Act is.
Do the employees seem knowledgeable about the predominant cultural groups receiving services in their area?	X			The workers interviewed are familiar with the different cultural groups within the county.

B. Corrective Actions

Training Area	Corrective Action
Division 21, Civil Rights Training	Sacramento County shall ensure that employees receive Division 21 civil rights training at the time of orientation, as well as ongoing training to ensure that public contact staff has knowledge of Division 21, including familiarization with the discrimination complaint process. Div. 21-117.1
Cultural Awareness Training	Sacramento County shall ensure that all public contact employees receive cultural awareness training to ensure that public contact staff has an understanding of and sensitivity to the various cultural groups in the county's population. Div. 21-117.2
MEPA Training for Children's Social Workers	Sacramento County shall ensure that CSW's receive MEPA training to ensure that public contact staff has knowledge of,

Training Area	Corrective Action
	and properly apply the placement prohibitions contained in MEPA. 42 U.S.C. 672, 674, and 1996(b)

C. Recommendation

None

VIII. DISCRIMINATION COMPLAINT PROCEDURES

Counties are required to maintain a process for addressing all complaints of discrimination. They must track complaints of discrimination through the use of a control log in which all relevant information is kept, including when the complaint was received, the name of the complainant, identifying numbers and programs, basis of discrimination, and resolution. It is usually the Civil Rights Coordinator responsibility to maintain this log.

A. Findings from Staff Interviews and Program Manager Surveys

Interview and review areas	Yes	No	Some-times	Findings
Can the employees easily identify the difference between a program, discrimination, and a personnel complaint?	X			All employees interviewed were able to differentiate between the two types of complaints.
Did the employees know who the Civil Rights Coordinator is?	X			All of the workers interviewed were aware that their Civil Rights Coordinator is Vicky Deane.
Did the employees know the location of the Civil Rights poster showing where the clients can file a discrimination complaint?		X		Not everyone knew there was a poster posted in the lobby of each office. Most workers interviewed only had the Civil Rights Coordinator's phone number.
When reviewing the complaint log with the Civil Rights Coordinator, was it complete and up to date?	X			All complaints registered in the CDSS database are also in Sacramento County Complaint Log.

B. Corrective Action

Element	Corrective Action
Discrimination Process	Sacramento County shall ensure staff have knowledge of the discrimination complaint process and are able to differentiate it from other complaint processes. Div. 21-117 and 21-203
Civil Rights Coordinator	Sacramento County shall ensure that staff is knowledgeable regarding contact information of the civil rights coordinator, at minimum, where the information can be located. Div. 21-117 and 21-107.21

C. Recommendation

It was very evident that the employees at reception did not know all of the information that a “first contact” employee should know. Division 21-117.1 Staff Development and Training states:

Each public contact employee shall receive training in the requirements of Division 21. Please ensure that all employees receive proper Division 21 training. The receptionist should have all relevant information including, but not limited to, the name/contact information of the Civil Rights Coordinator, how to handle a discrimination complaint, how to effectively communication with a limited/non-English speaking client, etc.

IX. CONCERNS RAISED BY ADVOCATES

Prior to this compliance review, Civil Rights staff Daniel Cervantes and Jaime Urquizo met with Sacramento area advocates to discuss concerns raised by clients. The concerns involved the use by IHSS of a “prescreening” process that deters potential applicants from applying for IHSS benefits. This process led the advocates to believe that applicants were being denied services over the phone or being discouraged from applying.

Jaime and I spoke to Guy Klopp on two separate occasions regarding these concerns. We began by asking him what the application process was to receive benefits. He explained that the IHSS program is currently receiving about 17,000 calls a quarter. He also said that 99% of applications are started over the phone. (The remaining applications were initiated through fax.) Information is taken over the phone and if the client is potentially eligible, the case is sent to a social worker. If it appears that the client will not be eligible to receive benefits, for example of the client is not currently receiving Medi-Cal/SSI, they are usually directed to the Department of Human Assistance to apply for Medi-Cal. If Medi-Cal deems the applicant eligible, the IHSS process can proceed. Mr. Klopp stated that if client has a significant number of resources such as a home, a car, pension from work, etc, it is likely the person will be denied benefits.

In cases when enough information could not be gathered to start an application, the worker

requested that the potential client call themselves and inquire about the program. The alternative was to have the caller request any/all relevant information including social security numbers, address, phone numbers, etc. from the potential recipient. This can potentially cause a breach of confidentiality. The client may feel obligated to release this personal information without proper release of information agreement.

X. CONCLUSION

Sacramento County Health and Human Services Agency was found to be in overall compliance with CDSS Manual of Policies and Procedures (MPP) Division 21 Regulations, and other applicable state and federal civil rights laws. There was exceptional cooperation and coordination provided by the Civil Rights Coordinator and the district staff throughout the review.

Perhaps the biggest finding throughout the review was the lack of documentation in the case files. At every significant point of contact with the client, whether it takes place in person or over the phone, it should be documented that free services were offered to the client and whether or not services were accepted/declined. Workers should also document how services were provided, whether it be by a certified worker, an appointed interpreter, or a client designated interpreter. Please refer to ACIN I-02 08 and ACL 06-20.

Since the 2006 Sacramento HHS compliance review revealed similar findings, continuing education is necessary to ensure consistency in provision and documentation of language and special needs services.

Sacramento County HHS must remedy the deficiencies identified in this report by taking corrective actions. A corrective action plan must be received by CDSS within 60 days of the date of the cover letter to this report; and the plan must include a schedule by which all actions will be taken/implemented to correct the violations.

It is our intent that this report be used to create a positive interaction between the county and CDSS in identifying and correcting compliance deficiencies and to provide the county with an opportunity to implement corrective action to achieve compliance with Division 21 regulations. Civil Rights staff is available to provide technical assistance as requested.